

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RICHARD E. KAPLAN,

Plaintiff,

V.

FIRST HARTFORD CORPORATION,

Defendant.

Civil Action
No. 04-10402 (RCL)

ASSENTED-TO MOTION TO ADMIT JOHN B. NOLAN PRO HAC VICE

Pursuant to Local Rule 83.5.3(b), Defendant First Hartford Corporation (“First Hartford”), by its counsel, respectfully moves this Court to admit John B. Nolan, pro hac vice, as counsel for First Hartford in the above-captioned matter. The grounds for this motion are as follows:

1. Mr. Nolan is a member in good standing of every bar in which he has been admitted to practice. (See Declaration of John B. Nolan (“Nolan Decl.”), submitted herewith, at ¶ 2.)

2. Mr. Nolan has been admitted to practice before the state courts of Connecticut and New York. He has also been admitted to the bar of the United States Supreme Court; the United States Court of Appeals for the First Circuit; the United States Court of Appeals for the Second Circuit; the United States District Court for the District of Connecticut; the United States District Court for the Southern District of New York; and the United States District Court for the District of Arizona. (Nolan Decl. at ¶ 2.)

3. There are no disciplinary proceedings pending against Mr. Nolan as a member of the bar of any jurisdiction. (Nolan Decl. at ¶ 3.)

4. Mr. Nolan is familiar with the Local Rules of this Court. (Nolan Decl. at ¶ 4.)

5. Mr. Nolan is familiar with First Hartford and the issues in this lawsuit. Mr. Nolan's appearance and participation in this matter in conjunction with attorneys from Day, Berry & Howard LLP's Boston office are necessary for the proper and effective representation of First Hartford. (Nolan Decl. at ¶ 5.)

6. This motion is made by a member of the bar of this Court who has entered an appearance in this matter.

7. Counsel for Plaintiff has assented to this motion.

WHEREFORE, First Hartford, by and through its counsel, moves this Court to admit John B. Nolan, pro hac vice, for the purpose of representing First Hartford in this litigation.

Respectfully submitted,

FIRST HARTFORD CORPORATION

By its attorney,

/s/ Jonathan I. Handler
Jonathan I. Handler, BBO #561475
DAY, BERRY & HOWARD LLP
260 Franklin Street
Boston, MA 02110-3179
(617) 345-4600

Dated: March 29, 2004

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

Pursuant to Local Rule 7.1(A)(2), I, Jonathan I. Handler, counsel for the Defendant, First Hartford Corporation, hereby certify that on March 19, 2004, I conferred with John R. Baraniak, Jr., counsel for Plaintiff Richard E. Kaplan, and that he assented to this motion to admit John B. Nolan *pro hac vice*.

/s/ Jonathan I. Handler
Jonathan I. Handler

CERTIFICATE OF SERVICE

I, Jonathan I. Handler, do hereby certify that I have served the within *Assented-to Motion to Admit John B. Nolan Pro Hac Vice* by causing a copy to be mailed, first class postage prepaid and addressed to John R. Baraniak, Jr., Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts, 02109, on this 29th day of March, 2004.

/s/ Jonathan I. Handler
Jonathan I. Handler